

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BRUCE MACDONALD, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

DYNAMIC LEDGER SOLUTIONS, INC., a
Delaware corporation, TEZOS
STIFTUNG, a Swiss Foundation,
KATHLEEN BREITMAN, an
Individual, ARTHUR BREITMAN,
an Individual, TIMOTHY COOK DRAPER, an
individual, DRAPER ASSOCIATES, JOHANN
GEVERS, DIEGO PONZ, GUIDO SCHMITZ-
KRUMMACHER, BITCOIN SUISSE AG,
NIKLAS NIKOLAJSSEN and DOES 1-100,
INCLUSIVE,

Defendants.

Case No. 3:17-cv-07095-RS

~~PROPOSED~~ ORDER GRANTING
PLAINTIFF'S EX PARTE
APPLICATION FOR LEAVE TO
EFFECT ELECTRONIC SERVICE
ON DEFENDANTS RESIDENT
OUTSIDE THE UNITED STATES

1 This matter comes before the Court on the application of Plaintiff Bruce MacDonald
 2 (“Plaintiff”) for an Order pursuant to Federal Rules of Civil Procedure 4(f)(3) and 4(h)(2) permitting
 3 Plaintiff to serve Defendants Tezos Stiftung, Johann Gevers, Diego Ponz, Guido Schmitz-
 4 Krummacher, Bitcoin Suisse AG and Niklas Nikolajsen (the “Swiss Defendants”) by electronic means.

5 Having reviewed the materials submitted and being fully advised, the Court GRANTS
 6 Plaintiff’s application as follows:
 7


8 1. The Court GRANTS the Application, finding that Plaintiff has shown (1) the Swiss
 9 Defendants are not within any judicial district of the United States; (2) service by electronic means is
 10 not prohibited by any international agreement, (3) service by the electronic means specified below
 11 comports with constitutional notions of due process and is reasonably calculated to apprise the Swiss
 12 Defendants of the pendency of the action and afford them an opportunity to respond.

13 2. The Court hereby orders that Plaintiff may effect service on the Swiss Defendants as
 14 follows:
 15

- 16 a. Upon **Tezos Stiftung and Diego Ponz** by email to contact@tezos.ch and
 17 support@tezos.ch.
- 18 b. Upon **Johann Gevers** by email to johann@monetas.net and by messages sent to
 19 his Twitter account, <https://twitter.com/johanngevers>, giving notice of the
 20 lawsuit and directing him to a link containing copies of the complaint,
 21 summons, and all other materials required to be served.
- 22 c. Upon **Guido Schmitz-Krummacher** by email to info@sielva-management.com
 23 and by a message sent to his LinkedIn account,
 24 <https://www.linkedin.com/in/guidos1/>, giving notice of the lawsuit and directing
 25 him to a link containing copies of the complaint, summons, and all other
 26 materials required to be served.
 27

d. Upon Bitcoin Suisse AG and Niklas Nikolajsen: by email to inquiry@bitcoinsuisse.ch and by a message sent to Mr. Nikolajsen's LinkedIn account, <https://www.linkedin.com/in/niklas-nikolajsen-0a452848/>, giving notice of the lawsuit and directing him to a link containing copies of the complaint, summons, and all other materials required to be served.

DATED: 12/14/17


The Hon. Richard Seeborg
United States District Judge

Presented by:

DATED: December 14, 2017

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